

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

MICHAEL A. LOISEAU,

Plaintiff,

v.

Civil Action No. 3:10CV549

HOUSTON NORRIS,

Defendant.

MEMORANDUM OPINION

By Memorandum Order entered on October 19, 2010, the Court dismissed the action because Plaintiff failed to complete and return the consent to collection of filing fees form. On October 27, 2010, the Court received a letter from Plaintiff requesting that the Court reverse that decision. Plaintiff explains that he misunderstood the Court's directions. "[R]econsideration of a judgment after its entry is an extraordinary remedy which should be used sparingly." Pac. Ins. Co. v. Am. Nat'l Fire Ins. Co., 148 F.3d 396, 403 (4th Cir. 1998) (internal quotation marks omitted). Relief under Rule 59(e) is appropriate "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice." Hutchinson v. Staton, 994 F.2d 1076, 1081 (4th Cir. 1993) (citing Weyerhaeuser Corp. v. Koppers Co., 771 F. Supp. 1406, 1419 (D. Md. 1991); Atkins v. Marathon LeTourneau Co., 130 F.R.D. 625, 626 (S.D. Miss. 1990)). Plaintiff's misunderstanding of the Court's straightforward

directions does not satisfy any of the above standards. Furthermore, because the Court dismissed the action without prejudice, Plaintiff need only submit a new complaint to continue litigating the claims in his present complaint. Accordingly, Plaintiff's motion for reconsideration will be DENIED.

The Clerk is directed to mail a copy of the Memorandum Opinion to Plaintiff.

It is so ORDERED.

Date: November 12, 2010
Richmond, Virginia

/s/ *REP*

Robert E. Payne
Senior United States District Judge